

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

VINCENT DANIEL HOPPER, a/k/a  
ANTOLIN ANDREW MARKS,

Plaintiff,

v.

G. WIGEN, *et al.*,

Defendants.

Case No. C05-5662FDB


ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Magistrate Judge recommends that Plaintiff's motion to reopen this case be denied. Judgment was entered in this case on June 9, 2006 and the case was closed on Plaintiff's notification that the Defendants had moderated their behavior and were no longer interfering with his mail. Now, Plaintiff asserts that they have begun to interfere with his mail again and that he should be allowed to reopen this case. The Court agrees with the Magistrate Judge that Plaintiff must pursue his present claims in a new cause of action. Accordingly, having reviewed the Report and Recommendation, having considered the objections, and having reviewed the remaining record,

IT IS ORDERED:

1. The Court adopts the Report and Recommendation;
2. Defendant's motions to reopen case [Dkt. # 42] and for show cause order directed to Defendant Melendez [Dkt. # 44] are DENIED;
3. The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Hon. Karen L. Strombom.

DATED this 23<sup>rd</sup> day of July, 2007.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE